

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Marcus Dumond, et al.,

Plaintiffs,

v.

Massachusetts Financial Services Co. and MFS
Fund Distributors, Inc.,

Defendants.

Civil Action No. 04-cv-11458-GAO

ASSENTED-TO MOTION TO CHANGE HEARING DATE

Defendants Massachusetts Financial Services Co. and MFS Fund Distributors, Inc. (“Defendants”), with the assent of all plaintiffs in this action, move the Court to change the hearing on the Defendants’ Motion to Dismiss now scheduled for September 22, 2005 to October 25, 2005, or as an alternative, October 26, 2005. As grounds for this motion, Defendants state that (i) the parties in *Forsythe v. Sun Life Financial Inc.*, 04-cv-10584-GAO – an action this Court ordered to be coordinated with this case for discovery and pretrial purposes – have filed an identical request for rescheduling of the hearing on the Defendants’ Motion to Dismiss the *Forsythe* action to the above suggested dates, and (ii) defense counsel has conflicts on September 22, 2005.

Respectfully submitted,

/s/ Michelle H. Blauner (JAS)
Edward F. Haber (BBO #215620)
Michelle H. Blauner (BBO #549049)
SHAPIRO HABER & URMY LLP
53 State Street
Boston, MA 02109
Tel: (617) 439-3939
Fax: (617) 439-0134

Attorneys for Plaintiffs Marcus Dumond,
Henry Berdat, Stuart V. and Rosemary
Sturgess, Kathleen Blair, William and
Margie Booth, Karen Peach, and Richard
and Evelyn Keller

Respectfully submitted,

Jonathan A Shapiro
Jeffrey B. Rudman (BBO #433380)
William H. Paine (BBO #550506)
Jonathan A. Shapiro (BBO #567838)
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, Massachusetts 02109
Tel: (617) 526-6000
Fax: (617) 526-5000

Attorneys for Defendants Massachusetts
Financial Services Co. and MFS Fund
Distributors, Inc.

Dated: September 6, 2005

LOCAL RULE 7.1 CERTIFICATE

I, Jonathan A. Shapiro, counsel for Defendants, hereby certify that on September 6, 2005, I consulted with plaintiffs' counsel, Michelle H. Blauner, who assented by electronic mail to the filing of this motion.

/s/ Jonathan A. Shapiro
Jonathan A. Shapiro

CERTIFICATE OF SERVICE

I, Matthew A. Stowe, hereby certify that on September 6, 2005, I caused a copy of the foregoing document to be served upon counsel for plaintiffs by electronic notification or first-class mail.

/s/ Matthew A. Stowe (JAS by permission)
Matthew A. Stowe